



Doc Code: VNUS-57470

09/841664

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

Pat. No. 6,969,388

Filing Date

April 23, 2001

First Named Inventor

Goldman, et al

Art Unit

3739

Examiner Name

Rosiland Rollins

Attorney Docket Number

VNUS-57470

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____
- Landscape Table on CD

Remarks

- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
Request for Certificate of Correction; Certificate of Correction and postcard

Certificate

APR 06 2006

of Correction

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Fulwider Patton LLP

Signature

Printed name

James Juo

Date

3/31/06

Reg. No. 36,177

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

James Juo

Date

March 31, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Fee Transmittal for FY 2006

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
\$100.00

Complete if Known

Application Number	Pat. No. 6,969,388
Filing Date	April 23, 2001
First Named Inventor	Goldman, et al.
Examiner Name	Rosiland Rollins
Art Unit	3739
Attorney Docket No.	VNUS-57470

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 06-2425 Deposit Account Name: Fulwider Patton

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or any underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$25.00	= \$0.00	_____	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	\$100.00	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0	/ 50 0 (round up to a whole number)	x \$125.00 = \$0.00	_____

4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Certificate of Correction

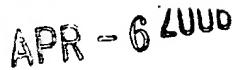
\$100.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	36,177	Telephone	310 824-5555
Name (Print/Type)	James Juo		Date	3/31/06	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

ARTHUR W. ZIKORUS

Patent No.: 6,969,388 B2

Issued: November 29, 2005

Serial No: 09/841,664

Filed: April 23, 2001

For: APPARATUS FOR APPLYING
ENERGY TO BIOLOGICAL TISSUE
INCLUDING THE USE OF
TUMESCENT TISSUE
COMPRESSION

Examiner: Rosalind Rollins

Group Art Unit: 3739

Client ID/Matter No: VNUS 57470

March 31, 2006
Los Angeles, California

REQUEST FOR CERTIFICATE OF CORRECTION

Certificate of Correction Department
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified patent has been found to have the errors set forth in the enclosed Certificate of Correction. It is requested that this Certificate of Correction be issued and returned to us. Since these errors occurred in the final printing phase of the patent and in the final application, a check in the amount of \$100.00 is enclosed to

04/04/2006 SDENB0B1 00000012 6969388

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cover the necessary fees. Should the Office determine that additional fees are needed, please charge Deposit Account No. 06-2425.

The errors are verifiable in the patent application file as follows:

ERROR

Title Page, Item (75), delete "Mitchel P. Goldman, La Jolla, CA (US); Robert A, Weiss, Baltimore, MD (US); James G. Chandler, Boulder, CO (US)" and insert -- Arthur W. Zikorus, San Jose, CA--.

Column 9, line 43, delete "In a" and insert --A--.

Column 9, line 51, delete "crosssectional" and insert --cross-sectional--.

Column 17, line 25, delete "embodiments" and insert --embodiment--.

APPLICATION FILE

Petition to Correct Inventorship entered on June 15, 2005. See Attachment.

Applicant error.

Printing error.

Applicant error.

These errors occurred in good faith and correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. It is requested that a Certificate of Correction be issued and returned to us.

Attached hereto, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.

APR - 2006

A duplicate of this document is attached.

Respectfully submitted,

FULWIDER PATTON LLP

By: _____

James Joo
Registration No. 36,177

JJ:ck
Enclosures

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201

118706.1

APR - 6 2006



Response to Rule 312 Communication

Response to Rule 312 Communication	Application No.	Applicant(s)
	09/841,664	GOLDMAN ET AL.
	Examiner Rosiland S. Rollins	Art Unit 3739

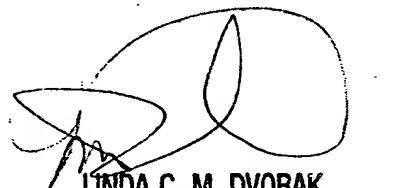
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 15 June 2005 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) disapproved. See explanation below.
- e) entered in part. See explanation below.



LINDA C. M. DVORAK
SUPERVISORY PATENT EXAMINER
GROUP 3700

APR - 6 LUUB



Rosiland S. Rollins
Primary Examiner
Art Unit: 3739



CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (703) 872-9306) on June 15, 2005

James Juc

6/15/2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/841,664
Applicant : Goldman, et al.
Filed : April 21, 2001
Title: METHOD AND APPARATUS FOR APPLYING ENERGY TO
BIOLOGICAL TISSUE INCLUDING THE USE OF
TUMESCENT TISSUE COMPRESSION
Art Unit : 3739
Examiner : Rosiland Rollins
Docket No.: : VNUS-57470
Customer No. : 24201

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR § 1.48(b)

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests correction of the names of the inventors of the pending claims in this divisional application. In the preliminary amendment filed with this divisional application, original method claims 1-39 were canceled without prejudice. As a result, fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the present patent application.

APR - 6 2006

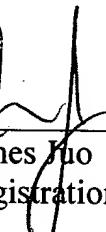
Accordingly, only Arthur W. Zikorus should be named as the inventor. And originally named co-inventors, Mitchel P. Goldman, Robert A. Weiss, and James G. Chandler, should be deleted as inventors. Applicants have filed an Amendment concurrent herewith to delete the names of the inventors who are not inventors of the invention now being claimed.

Please charge the requisite fee under 37 C.F.R. §1.17(i) in the amount of \$130.00 to Deposit Account No. 06-2425. Please charge any additional fees which may be required by this paper or credit any overpayment to Deposit Account No. 06-2425.

Should any question arise, kindly contact the undersigned.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 

James Juo
Registration No. 36,177

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201

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APR - 5 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,969,388 B2

APPLICATION NO.: 09/841,664

ISSUE DATE : November 29, 2005

INVENTOR(S) : Arthur W. Zikorus

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page, Item (75),

delete "Mitchel P. Goldman, La Jolla, CA (US); Robert A. Weiss, Baltimore, MD (US); James G. Chandler, Boulder, CO (US)" and insert --Arthur W. Zikorus, San Jose, CA--.

Column 9,

Line 43, delete "In a" and insert --A--.

Line 51, delete "crosssectional" and insert --cross-sectional--.

Column 17,

Line 25, delete "embodiments" and insert --embodiment--.

MAILING ADDRESS OF SENDER:

**James Juo
Fulwider Patton LLP
6060 Center Drive, 10th Floor
Los Angeles, CA 90045**

This collection of information is required by 37 CFR 1.322 and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief of Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 1 of 1

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